

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6264**

**BILL NUMBER:** SB 379

**NOTE PREPARED:** Dec 14, 2008

**BILL AMENDED:**

**SUBJECT:** Local Government.

**FIRST AUTHOR:** Sen. Boots

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** This bill does the following:

*Reorganization of County Executive and Legislative Structure:* The bill permits a county to reorganize its executive and legislative structure and powers so that all executive authority is exercised by a single elected county executive and all legislative and fiscal powers are exercised by the county council (as constituted under current law). It requires: (1) the county executive to adopt an ordinance to reorganize the county executive and legislative powers; and (2) the reorganization to be approved by the voters of the county. The bill also provides that such an ordinance may be adopted only in an even-numbered year.

It provides that if the county's voters vote in favor of the public question, the first single-member county executive is elected at the second general election that is held after the general election at which the voters approve the reorganization. It also provides for transition from a three-member county executive to the single-member county executive.

The bill provides that if a county adopts a single-member county executive form of government, the county council rather than the county executive is responsible for redistricting the county council. (In Lake County, the county redistricting commission would continue to redistrict county council districts.) It provides that the only reason that county council districts may be changed after the first redistricting after a decennial census is to conform the districts to statutory requirements.

It makes technical and other changes to conform the law to the substantive changes.

**Effective Date:** July 1, 2009.

### **Explanation of State Expenditures:**

### **Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Reorganization of County Executive and Legislative Structure:* The effect of the bill will depend on the voters adopting the public question and the decisions of the county council. If the public question is adopted, no current county executive or legislative responsibility is reduced or eliminated. The duties are reassigned from a three-member board of county commissioners to a single, elected county executive, which could reduce compensation costs. However, executive compensation is determined by the county fiscal body, and any cost savings will result from the decisions of the fiscal body. Officers are compensated from the county general fund.

**Background and Additional Details-** In counties without a consolidated city, the board of county commissioners is the executive body of the county. All executive and administrative powers or duties of the county, except those expressly assigned by law to other elected or appointed officials, are assigned to the board of county commissioners. Also, the board of county commissioners has many assigned and authorized responsibilities. Examples include:

- (1) Establishing procedures for all county departments, offices, and agencies under its jurisdiction.
- (2) Administering all statutes applicable to the county and its ordinances and regulations.
- (3) Supervising the care and custody of all county property, the collection of revenues, and the control of disbursements and expenditures, and reporting on the same.
- (4) Determining the nature and extent of all county improvements.
- (5) Negotiating contracts for the county.

Under the bill, the county executive would have specific reporting duties to both the residents of the county and the legislative body, would make recommendations concerning county improvements and actions, and would have approval/veto powers on ordinances passed by the county legislative body.

### **Explanation of Local Revenues:**

#### **State Agencies Affected:**

**Local Agencies Affected:** Counties.

#### **Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.